

REMARKS/ARGUMENTS

Reconsideration of this application in light of the above amendments is courteously solicited.

Applicant requests non-entry of the Amendment Under 37 C.F.R. 1.116 filed on May 6, 2005.

The examiner indicated previously submitted dependent claim 47 which depended directly from independent claim 39 as containing allowable subject matter. Applicant by the instant Preliminary amendment has incorporated the subject matter of dependent claim 47 into an amended claim 39. In light of the foregoing, it is submitted that claim 39 is now in condition for allowance.

In addition to the foregoing, claims 48-51, 57-60 and 64 and 65 which were previously withdrawn as a result of the examiner's Restriction Requirement should be rejoined in light of the indication of allowance of amended claim 39. Claims 48, 49, 50 and 57 have been amended so as to comply with the formal requirements of 35 U.S.C. 112, second paragraph.

In light of the foregoing, it is submitted that all of the claims as pending patentably define over the art of record and an early indication of same is respectfully requested.

If any additional fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184.

Respectfully submitted,

Franz Vossen

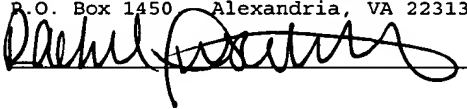
A large, stylized handwritten signature in black ink, appearing to read 'G. LaPointe', written over a horizontal line.

By

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Date: July 8, 2005

I, Rachel Piscitelli, hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: "Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313" on July 8, 2005.

A handwritten signature in black ink, appearing to read 'Rachel Piscitelli', written over a horizontal line.